

About The Agency

The mission of the Public Employment Relations Board is to promote harmonious and cooperative relationships between public employers and their represented employees through the collective bargaining process.

The Public Employment Relations Board (PERB) administers the Public School Employment Relations Act (14 Del.C. Chapter 40), the Police Officers and Firefighters Employment Relations Act (19 Del.C. Chapter 16), and the Public Employment Relations Act (19 Del.C. Chapter 13). PERB is responsible for administering the impasse resolution, representation, unfair labor practice and declaratory statement procedures for essentially all Delaware public sector employers and employees. PERB staff provides training to employer and employee groups in educating the parties as to their rights and responsibilities under these statutes. The staff is also directly accessible to the parties to respond to questions which relate to the statutes, procedures, and PERB case law.

The PERB utilizes both formal and informal dispute resolution procedures.

Formal procedures for resolving unfair labor practice charges and requests for declaratory statements involve a formal pleading process, public hearings in which the parties to the dispute present evidence in support of their respective positions, and the issuance of findings of fact and decision by the Hearing Officer. PERB also conducts interest arbitration hearings and renders binding decisions for the resolution of impasses for all public employers and employees except public school districts.

Unfair labor practices which may be committed by either an employee or employee group or organization and/or an employer are explicitly defined in each of the [three statutes](#).

Representation proceedings, which establish appropriate bargaining units and certify exclusive bargaining representatives, are similarly processed. Representation issues involving the status of the exclusive bargaining representative ("Union") often require a secret ballot election be conducted to determine the desires of the employees.

Informal dispute resolution procedures include mediation and facilitation efforts by staff to resolve both pending and potential issues presented by the parties. Informal procedures are most often used with the agreement of the parties in an effort to improve the collective bargaining relationship or to resolve an underlying dispute.

PERB facilitates the negotiation of the terms of collective bargaining agreements and maintains a stable environment during negotiations. When negotiating parties reach impasse, mediation is provided. If mediation is unsuccessful in resolving the outstanding issues the dispute proceeds to a public fact-finding process for public school employers and employees. All other groups must submit their outstanding issues to binding interest arbitration, wherein a member of the PERB staff serves as the arbitrator. The PERB is also responsible for resolving issues which arise during negotiations as to which issues must be negotiated, which are reserved to the exclusive prerogative of the public employer and which are illegal under the statutory framework.

PERB administers the Binding Grievance Arbitration panel which provides arbitrators to public school employers and their represented employees for binding resolution of grievances pursuant to 14 Del.C. §4013.

PERB promotes the development of effective communication and problem solving skills necessary to effectively negotiate agreements and to otherwise resolve on-going problem areas. The collaborative or interest based model of negotiations

focuses on strengthening the parties' relationship and intrinsic problem solving resources. The goals of collaborative process are to develop mutually acceptable agreements to solve immediate and pressing problems, strengthen relationships and organizational problem-solving abilities, increase morale through the development of a sense of involvement and accomplishment and encourage open, direct and candid communications between employers, employees and their exclusive representatives.